

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 4:05-CV-40014-FDS

SANDRA S. KATZ,  
Plaintiff,

v.

DONNA LEE H. WILLIAMS, INSURANCE  
COMMISSIONER OF THE STATE OF DELAWARE  
AS RECEIVER OF NATIONAL HERITAGE  
LIFE INSURANCE COMPANY IN LIQUIDATION  
Defendant and Third Party Plaintiff

v.

FEDERAL DEPOSIT INSURANCE CORPORATION,  
UNITED STATES OF AMERICA, E. PERRY KING,  
ALAN MASON, ALAN MASON LEGAL  
SERVICES, P.C., ALAN MASON LEGAL SERVICES,  
INC., ALAN MASON D/B/A ALAN MASON LEGAL  
SERVICES, P.C., ALAN MASON D/B/A ALAN  
MASON LEGAL SERVICES, INC., AND ALAN  
MASON LEGAL SERVICES, P.C. D/B/A ALAN  
MASON LEGAL SERVICES, INC.,  
Third Party Defendants.

**DONNA LEE H. WILLIAMS', INSURANCE COMMISSIONER OF THE STATE  
OF DELAWARE, UNOPPOSED MOTION TO SUBSTITUTE PUBLIC OFFICER**

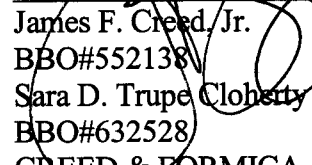
Now comes the Third-Party Plaintiff, Donna Lee H. Williams, Insurance  
Commissioner of the State of Delaware, as Receiver of National Heritage Life Insurance  
Company in Liquidation ("NHL"), and respectfully requests this Honorable Court to permit  
her withdrawal and substitute Matthew Denn, Insurance Commissioner of the State of  
Delaware as the public official in her place. Pursuant to F.R.C.P. 25(d)(1), such substitution  
is allowed upon the cessation of office by one official followed by the new officer's

succession.

Counsel for other parties do not oppose this motion for substitution.

Respectfully submitted,  
Matthew Denn,  
Insurance Commissioner of  
the State of Delaware As  
Receiver of National Heritage  
Life Insurance Company in

By his attorneys,



---

James F. Creed, Jr.  
BBO#552138  
Sara D. Trupe Cloberty  
BBO#632528  
CREED & FORMICA  
1329 Highland Avenue  
Needham, MA 02492  
(781) 449-4600

Dated: 5/6/05

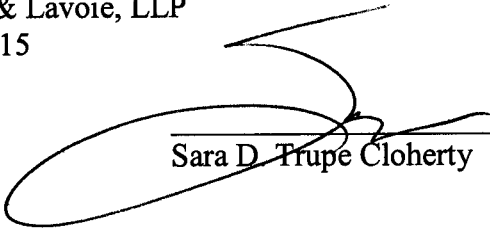
CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused a true copy of the within document to be served by first class mail, postage pre-paid to:

Robert B. Gibbons, Esq.  
Kristin D. Thompson, Esq.  
Mirick, O'Connell, DeMallie & Lougee, LLP  
100 Front Street  
Worcester, MA 01608

Anita Johnson  
Assistant U.S. Attorney  
U.S. Attorney's Office  
Moakley United States Courthouse  
One Courthouse Way – Suite 9200  
Boston, MA 02210

Nancy C. Serventi, Esq.  
McDonough, Hacking, & Lavoie, LLP  
6 Beacon Street, Suite 815  
Boston, MA 02108

  
Sara D. Trupe Cloherty

Dated: 5/6/05

RULE 7.1 CONFERENCE

I hereby certify that on April 15, 2005 I conferenced with all counsel of record, and that there was no opposition.

  
Sara D. Trupe Cloherty

Dated: 5/6/05